

OFFICIAL COPY

Fresno, California

February 2, 1999

The City Council met in joint session with the Redevelopment Agency at the hour of 8:40 a.m. in the Council Chamber, City Hall, on the day above written.

Present:	Tom Boyajian	Councilmember
	Garry Bredefeld	Councilmember
	Chris Mathys	Councilmember
	Henry Perea	Councilmember
	Sal Quintero	Councilmember
	Dan Ronquillo	Councilmember
	Ken Steitz	President

Jeff Reid, City Manager  
Dan Fitzpatrick, Agency Executive Director  
Hilda Cantu Montoy, City Attorney  
Rebecca Klisch, City Clerk  
Yolanda Salazar, Assistant City Clerk

**(8:30 A.M.) JOINT MEETING WITH THE REDEVELOPMENT AGENCY** )

**APPROVE AGENCY MINUTES OF JANUARY 26, 1999** )

On motion of Acting President Mathys, seconded by President Steitz, duly carried, **RESOLVED**, the Agency minutes of January 26, 1999, approved as submitted.

**(“A”) HEARING TO CONSIDER APPROVAL OF A LEASE AGREEMENT** )  
**BETWEEN THE REDEVELOPMENT AGENCY AND ZAHRA PROPERTIES,** )  
**INC., FOR AGENCY-OWNED LOTS AT F FRESNO STREET AND BROADWAY** )  
**PLAZA STREET, AND DIRECT THE EXECUTIVE DIRECTOR TO TAKE STEPS** )  
**NECESSARY FOR CANCELLATION OF THE EXISTING MONTH-TO-MONTH** )  
**TENANCY WITH MERCHANTS’ AUTO PARKS (AGENCY ACTION)** )  
**(CONSIDERED AGAIN LATER IN THE MEETING)** )

Redevelopment Administrator Murphey reviewed the staff report as submitted and recommended approval of the lease, and in addition, authorize steps to cancel the existing month-to-month tenancy.

Chair Ronquillo advised in prior meetings he had encouraged the construction of a parking structure on Agency-owned property and stated, as an incentive to build the structure, rental rates needed to be raised after a period of time.

and their parking needs stating there had been no communication from them and they were taking care of their own parking. President Steitz recommended the revised language relative to “Rent” (#5 of the lease raising the rent to \$35 per stall after three years) be included as an amendment for approval.

On motion of Councilmember Quintero, seconded by Acting President Mathys, duly carried, RESOLVED, the Agency Executive Director authorized to execute a Parking Lease Agreement between Zahra Properties, Inc. and the Redevelopment Agency in a form substantially similar to the draft Agreement attached to the staff report, **as amended**, revising the language relative to “#5 - Rent”, for Agency-owned lots at Fresno Street and Broadway Plaza Street; and the Agency Director directed to take steps necessary for cancellation of the existing month-to-month tenancy with the tenants, Merchants’ Auto Parks, for the Agency lot at Fresno Street and Broadway Plaza Street, by the following vote:

Ayes	:	Boyajian, Bredefeld, Mathys, Perea, Quintero, Steitz, Ronquillo
Noes	:	None
Absent	:	None

(\*Note: Reconsidered at the end of the meeting where action was taken to delete the amendment.)

**(“B”) RESOLUTION NO. 1508 - AMEND THE BY-LAWS TO HAVE THE** )  
**ANNUAL ELECTION OF THE CHAIR AND VICE CHAIR CONFORM WITH** )  
**THE ELECTION OF THE COUNCIL PRESIDENT AND ACTING PRESIDENT -** )  
**PRESIDENT STEITZ (AGENCY ACTION)** )

Briefly reviewed by President Steitz who stated this would allow for the Chair and Vice Chair to participate in developing the Agency’s budget and would be in line with the process of electing the President and Acting President.

On motion of President Steitz, seconded by Councilmember Perea, duly carried, RESOLVED, the above entitled Agency Resolution No. 1508 hereby adopted, by the following vote:

Ayes	:	Boyajian, Bredefeld, Mathys, Perea, Quintero, Steitz, Ronquillo
Noes	:	None
Absent	:	None

**(“C”) CONSIDER APPROVAL OF A CONSULTING AGREEMENT RELATING** )  
**TO PROJECT ADOPTION OF THE CENTRAL CITY COMMERCIAL REVITALI-** )  
**ZATION REDEVELOPMENT PROJECT AREA, AIRPORT AREA REVITALIZA-** )  
**TION PROJECT AREA, THE SOUTHEAST FRESNO REVITALIZATION REDE-** )  
**VELOPMENT PROJECT AREA, AND THE SOUTH FRESNO INDUSTRIAL** )  
**REDEVELOPMENT PROJECT AREA WITH THE FIRM OF KEYSER MARSTON** )  
**ASSOCIATES, INC. (AGENCY ACTION)** )

**(“D”) CONSIDER APPROVAL OF A CONSULTING AGREEMENT RELATING** )

TO FEASIBILITY STUDIES AND PROJECT ADOPTION OF THE PROPOSED )  
AIRPORT AREA REVITALIZATION PROJECT AREA, THE PROPOSED )  
SOUTHEAST FRESNO REVITALIZATION PROJECT AREA, AND THE )  
PROPOSED SOUTH FRESNO INDUSTRIAL PROJECT AREA WITH THE )  
FIRM OF LAND USE ASSOCIATES (AGENCY ACTION) )

(“E”) CONSIDER APPROVAL OF A REVISED CONSULTING AGREEMENT )  
RELATING TO THE PREPARATION OF AN ENVIRONMENTAL IMPACT )  
REPORT FOR THE CENTRAL CITY COMMERCIAL REVITALIZATION )  
REDEVELOPMENT PROJECT AREA, AIRPORT AREA REVITALIZATION )  
PROJECT AREA, SOUTHEAST FRESNO REDEVELOPMENT PROJECT AREA, )  
AND THE SOUTH FRESNO INDUSTRIAL REDEVELOPMENT PROJECT AREA )  
WITH THE FIRM OF WOODCOCK PLANNING AND ENVIRONMENTAL )  
SERVICES (AGENCY ACTION) )

A motion and second to approve Items “C”, “D” and “E” was acted upon after brief discussion. Stating his support, Councilmember Bredefeld asked Council keep in mind the amount being expended for these studies when other important projects and areas are brought forth. Chair Ronquillo requested staff be careful in determining areas best suited for redevelopment and encouraged staff to locate the areas with the best potential for value increase and benefit to the City and explained.

On motion of Councilmember Perea, seconded by Councilmember Quintero, duly carried, RESOLVED, the Executive Director or his designee authorized to: (1) execute a revised consultant agreement relative to Item “C” with the firm of Keyser Marston Associates, Inc., for financial feasibility and advisory services for the Central City Commercial Revitalization Redevelopment Project, the Airport Area Revitalization Redevelopment Project, the Southeast Fresno Revitalization Redevelopment Project, and the South Fresno Industrial Redevelopment Project, based on the Scope of Work included in the staff report, in an amount not to exceed \$51,500; (2) execute a consultant agreement relative to Item “D” with the firm of Land Use Associates for plan adoption services for the Airport Area Revitalization Redevelopment Project, the Southeast Fresno Revitalization Redevelopment Project, and the South Fresno Industrial Redevelopment Project, based on the Scope of Work included in the staff report, in an amount not to exceed \$77,200; and (3) execute a revised consultant agreement relative to Item “E” with the firm of Woodcock Planning and Environmental Services for the preparation of an EIR for the Central City Commercial Revitalization Redevelopment Project, the Airport Area Revitalization Redevelopment Project, the Southeast Fresno Revitalization Redevelopment Project, and the South Fresno Industrial Redevelopment Project, based on the Scope of Work included in the staff report, in an amount not to exceed \$36,090, by the following vote:

Ayes	:	Boyajian, Bredefeld, Mathys, Perea, Quintero, Steitz, Ronquillo
Noes	:	None
Absent	:	None

(“F”) CONSIDER ADOPTION OF ACCEPTABLE TERMS AND CONDITIONS )  
FOR CITY AND AGENCY PARTICIPATION IN THE DEVELOPMENT OF A )  
HOTEL/EXPANDED EXHIBIT HALL ON THE OPHELIA PROPERTY AT )  
INYO AND “M” STREETS - CHAIR RONQUILLO AND VICE CHAIR PEREA )  
(AGENCY AND COUNCIL ACTION) )

of Council came to light, and advised through the Chair and Vice Chair, Keyser Marston was contacted to provide an independent analysis on what terms and conditions could be brought forward to move the project along and avoid previous issues. City Manager Reid advised the matter was prepared without consultation or coordination with City staff and he would defer his comments to after presentations.

Speaking in support of an additional downtown hotel and/or the policy guidelines were: Lloyd Kennedy, Executive Director, Fresno City-County Convention and Visitors Bureau, who emphasized another hotel would greatly enhance Fresno's marketability as a convention destination and explained; and Diane Ophelia, 800 "M" Street, representing the Ophelia Family. Upon question, Mr. Kennedy confirmed and named convention clients who would not commit to Fresno as their future site until another hotel was built.

Lengthy discussion ensued with Ms. Ophelia, Mr. Fitzpatrick and Mr. Kennedy responding to numerous Council questions relative to what was at issue this date, clarification of the subject terms and conditions and who was setting them, interested developers and proposals, if any, providing subsidies to private entities, and on the need for additional hotel rooms in the downtown area. Acting President Mathys expressed his concern with subsidizing private entities and stated if a proposal was on the table he wanted to see it. Upon question of Councilmember Bredefeld, Mr. Fitzpatrick stated moving forward would not commit the City in any way but would provide general guidelines which would allow the Ophelia Family and potential developers to work something out.

President Steitz stated he had serious reservations, stressed there was not enough information being given and it was premature to move forward this date, and made a motion to table the issue for a legal analysis. Vice Chair Perea stated at issue was if the City wanted a first class, full service hotel attached to the exhibit hall and laying guidelines out adding this was not a complex matter. Councilmember Boyajian stated although he supported a hotel, he concurred in the need for a staff report relative to fiscal impact to the City among other issues.

Mr. Reid clarified problems with the last proposal involved the lease and internal issues with the Ophelia proposal; commented on the process undertaken for the Gunner Andros proposal; recommended competition and not limiting the site if Council moved in the direction of a downtown hotel; stated the General Fund would be at risk with the guidelines submitted and explained; and expressed concern with the fiscal impact.

At this point in the proceedings, the joint bodies recessed to later in the meeting to allow the City Council to conduct timed ceremonial business.

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The City Council convened in regular session at the hour of 9:24 a.m..

Police Chaplain Thomason gave the invocation.

Councilmember Perea led the Pledge of Allegiance to the Flag.

SCHOOL - ACTING PRESIDENT MATHYS )

Presented.

PROCLAMATION OF "CATHOLIC SCHOOL WEEK" - PRESIDENT STEITZ )

Read and presented.

PROCLAMATIONS OF: "FRESNO STATE'S NATIONAL GIRLS AND WOMEN )  
IN SPORTS DAY" - MAYOR PATTERSON; AND "NATIONAL GIRLS AND )  
WOMEN IN SPORTS DAY" - COUNCILMEMBER PEREA )

Read and presented.

PROCLAMATION OF "DEPUTY CHIEF L.H. MCDANIEL DAY" - MAYOR )  
PATTERSON )

Read and presented.

RESOLUTIONS OF COMMENDATION TO "THEATRE THREE REPERTORY )  
COMPANY" - COUNCILMEMBER RONQUILLO )

Read and presented. (3 - 0)

RESOLUTION OF COMMENDATION TO RECIPIENTS OF THE 1999 )  
PORTRAITS OF SUCCESS PROGRAM - COUNCILMEMBER RONQUILLO )

Presented.

PROCLAMATION OF "INTERNATIONAL FORGIVENESS WEEK" - MAYOR )  
PATTERSON )

Read and proclaimed. No one present to accept.

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APPROVE MINUTES OF JANUARY 26, 1999 )

The minutes of January 26, 1999, were approved as submitted.

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(1A-9) PROPOSED APPOINTMENT OF COUNCILMEMBER QUINTERO TO )  
THE FRESNO CONVENTION AND VISITORS BUREAU - PRESIDENT STEITZ )  
(FOR INTRODUCTION) )

Laid over one week at the direction of President Steitz.

(5H) DIRECT THE CITY MANAGER TO DIRECT HISTORIC PRESERVATION )  
STAFF TO SUBMIT AN ANALYSIS ON THE VIABILITY OF ADOPTING THE )  
MILLS ACT - COUNCILMEMBER QUINTERO )

Laid over one week at the direction of President Steitz )

(5C) \*BILL FOR INTRODUCTION AMENDING SECTION 8-125 OF THE )  
FRESNO MUNICIPAL CODE RELATING TO EXPOSURE OF TOBACCO )  
PRODUCTS TO MINORS - COUNCILMEMBERS BREDEFELD AND PEREA )

At the direction of Councilmember Perea, the issue laid over to March 2, 1999, at 2:30 p.m. without Councilmember Bredefeld's name.

DIRECT STAFF TO SCHEDULE THE ISSUE OF PATRIOT HOMES FOR )  
CLOSED SESSION IN ONE WEEK - PRESIDENT STEITZ )

Direction made.

ACKNOWLEDGMENTS AND COMMENDATIONS BY COUNCILMEMBER )  
QUINTERO TO "BEHIND THE SCENES" EMPLOYEES: )  
1. RUBY TATEOSIAN, CITY ATTORNEY'S OFFICE, ON HER RETIREMENT )  
(RECEPTION HELD 2/1/99) )  
2. LAURIE TIGSON, CLAIMS, ON HER 14<sup>TH</sup> ANNIVERSARY WITH THE CITY )  
3. ERNIE VALDEZ AND CONVENTION CENTER STAFF, FOR THEIR EFFORTS )  
IN THE UPCOMING MILLENNIUM CELEBRATION )  
4. POLICE CAPT. JERRY DYER, DINNER EVENT IN HIS HONOR HELD 1/30/99, )  
RELATIVE TO RANDOM ACT OF KINDNESS )

Acknowledgments and commendations extended.

DIRECT STAFF TO SET THE ISSUE OF CONSIDERATION/APPROVAL OF )  
NAMING THE CONVENTION CENTER "THE ROBERT A. SCHOETTLER )  
CONVENTION CENTER" IN TWO WEEKS - COUNCILMEMBER QUINTERO )

Set for February 23, 1999, at 10:30 a.m.

City Clerk Klisch advised the Planning Commission wished to meet with Council the first part of March, whereupon President Steitz stated he would contact the Commission to discuss the issue.

DIRECT STAFF TO SCHEDULE THE ISSUE OF IBEW FOR CLOSED SESSION )  
IN ONE WEEK - COUNCILMEMBER PEREA )

Direction made.

REQUEST FOR STATUS ON REPORT FROM AMERICAN AMBULANCE )  
RELATIVE TO DELAYED RESPONSE INCIDENT - COUNCILMEMBER PEREA )

Upon question, President Steitz advised a report had not yet been received, confirmed both the County and American Ambulance were sent the request, and stated he would follow up.

ACKNOWLEDGMENT AND WELCOME OF AUDIENCE MEMBERS )  
MATTHEW FLORES, HOME SCHOOL STUDENT STUDYING GOVERN- )  
MENT; AND FORMER COUNCILMAN MICHAEL ERIN WOODY - ACTING )  
PRESIDENT MATHYS )

Acknowledgment made.

MILLENNIUM CELEBRATION - COUNCILMEMBER RONQUILLO )

Councilmember Ronquillo commented briefly on the event stating he was hoping for a regional celebration attracting 20 - 30,000 people and emphasized this would also allow for a genuine kick-off to the revitalization of downtown Fresno. Councilmember Perea briefly left the meeting at 10:28 a.m.

REQUEST FOR STATUS/TIMELINE FOR SUBMISSION OF STADIUM )  
DOCUMENTS - PRESIDENT STEITZ )

President Steitz questioned the timeline for receiving the documents emphasizing he did not want them submitted three days prior to the date for consideration. City Attorney Montoy stated February 23rd was and continued to be the goal adding the timeline was very tight, and brief discussion ensued on the need for ample time to review the documents and possibly considering a change in date for consideration. President Steitz stated he would follow up on the issue with Ms. Montoy.

On motion of Councilmember Bredefeld, seconded by Councilmember Boyajian, duly carried, RESOLVED, the **AGENDA** hereby approved, by the following vote:

Ayes	:	Boyajian, Bredefeld, Mathys, Quintero, Ronquillo, Steitz
Noes	:	None
Absent	:	Perea

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(1A-1) APPROVE APPOINTMENT OF ROBERT MACIAS TO THE FULTON- )  
LOWELL SPECIFIC PLAN IMPLEMENTATION COMMITTEE - COUNCIL- )  
MEMBER RONQUILLO (FOR ADOPTION) )

(1A-2) RESOLUTION NO. 99-29 - AUTHORIZING THE CHIEF OF POLICE )  
TO SIGN AND SUBMIT ALL INFORMATION REQUIRED BY THE OFFICE )  
OF CRIMINAL JUSTICE PLANNING (OCJP) TO RECEIVE \$159,068 IN 1998 )  
JUVENILE ACCOUNTABILITY AND INCENTIVE BLOCK GRANT )  
1. UPON RECEIPT OF FINAL APPROVAL FROM OCJP, STAFF TO PREPARE )  
A PROGRAM BUDGET AND PRESENT IT TO COUNCIL FOR APPROVAL )

(1A-5) DETERMINING THAT CONSOLIDATED PRINTWORKS IS NON- )  
RESPONSIVE TO THE SPECIFICATIONS FOR THEIR BID A (DIAGONAL )  
SEAMS); AND AWARD A REQUIREMENTS CONTRACT WITH PROVISIONS )  
FOR TWO ONE-YEAR EXTENSIONS TO FRESNO ENVELOPE AND EM- )  
BOSSING OF FRESNO IN THE AMOUNT OF \$38,895.93 FOR PRE-PRINTED )  
ENVELOPES )

(1A-6) APPROVE A SERVICE AGREEMENT WITH THE SONEX TECHNICAL )  
SERVICES COMPANY TO PERFORM ROTATOR SONIC CALIPER ANALYSIS )  
AND INSPECT DESIGNATED PORTIONS OF THE LARGE DIAMETER )  
WASTEWATER COLLECTION PIPELINE SYSTEM FOR A TOTAL AMOUNT )  
NOT TO EXCEED \$230,000 )

On motion of Councilmember Bredefeld, seconded by Councilmember Quintero, duly carried, RESOLVED,  
the above entitled **CONSENT CALENDAR** hereby adopted, by the following vote:

Ayes : Boyajian, Bredefeld, Mathys, Quintero, Ronquillo, Steitz  
Noes : None  
Absent : Perea

(1A-7) ADOPT RESOLUTIONS RELATIVE TO IMPLEMENTATION OF A )  
SCIENCE PROGRAM AT DICKEY PARK )  
a. \*RESOLUTION NO. 99-30 - 8<sup>TH</sup> AMENDMENT TO SALARY RES. 98-161 )  
AMENDING THE SALARY RANGE OF THE CLASS OF RECREATION )  
SPECIALIST )  
b. \*RESOLUTION NO. 99-31 - 11<sup>TH</sup> AMENDMENT TO PAR 98-160 ADDING )  
ONE POSITION TO THE PARKS, RECREATION AND COMMUNITY SERVICES )  
DEPARTMENT )

On motion of Councilmember Bredefeld, seconded by Councilmember Quintero, duly carried, RESOLVED,  
the above entitled Resolution Nos. 99-30 and 99-31 hereby adopted, by the following vote:

Ayes : Boyajian, Bredefeld, Mathys, Quintero, Ronquillo  
Noes : Steitz



Absent : Perea

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**RECESS - 10:36 A.M. - 10:41 A.M.** Councilmember Perea returned to the meeting.

The City Council and Redevelopment Agency reconvened in joint session at 10:42 a.m. and deliberations continued on Item “F”:

Chair Ronquillo recommended the issue be tabled to a future date and that a Task Force be established to meet and report back. Chair Ronquillo briefly commented on the issue stating it was not complicated, urged the joint bodies to look at the total picture and revenues that could be generated, and made a motion, which was acted upon after brief discussion.

Acting President Mathys reiterated an offer needed to be placed on the table emphasizing it was difficult to take action without any information. Councilmember Quintero stated based on discussions with the family late last year it was his understanding they were interested in the basic benefits of building in a redevelopment area and it now seemed the rules had changed, and expressed his concern and asked this be considered when reporting back. Chair Ronquillo emphasized the issue was another hotel was needed downtown, whether it be at this site or another site.

On motion of Chair Ronquillo, seconded by Vice Chair Perea, duly carried, RESOLVED, the issue tabled to February 23<sup>rd</sup>; and a Task Force consisting of Chair Ronquillo, Vice Chair Perea and Councilmember Boyajian hereby established to meet with City and Agency staff and report back on the merits being requested by the Ophelia Family, by the following vote:

Ayes	:	Boyajian, Bredefeld, Mathys, Perea, Quintero, Steitz, Ronquillo
Noes	:	None
Absent	:	None

(“G”) DIRECT THE AGENCY DIRECTOR TO SET A DATE/TIME FOR AN )  
INFORMATIONAL WORKSHOP FOR REDEVELOPMENT AGENCY MEMBERS, )  
STAFF AND THE GENERAL PUBLIC, WITH AGENCY MEMBER PRESENCE )  
NOT MANDATORY; THE WORKSHOP TO BE SCHEDULED IN THE MORNING )  
AND NOT TO EXCEED FOUR HOURS; AND THE WORKSHOP TO BE SET )  
WITHIN 45 DAYS AND NOT BE SCHEDULED ON A TUESDAY )

Briefly reviewed by Councilmember Quintero who emphasized this would be an *informational* workshop only. Director Fitzpatrick recommended March 8<sup>th</sup> at 2:00 p.m. and brief discussion ensued on preferences.

By Council consensus, it was determined to set the workshop for Tuesday, March 16<sup>th</sup> at 2:00 p.m. with direction given for a light agenda that date.

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The joint bodies adjourned at 10:56 a.m. and the City Council reconvened in regular session at 10:57 a.m.

(9:30 A.M.) APPEARANCE BY NICK DE BEAR, INC., (REPRESENTATIVE )  
DEE BOYA), TO DISCUSS ACTIONS TAKEN BY THE DEPARTMENT OF )  
HOUSING AND NEIGHBORHOOD REVITALIZATION RELATING TO )  
CONSTRUCTION OF AN IN-FILL PROJECT )  
(DISCUSSED AGAIN LATER) )

Dee Boya, Developer, representing DeBear, Inc., distributed a written fact sheet of events for Tract 4772, a copy of which is on file in the office of the City Clerk; reviewed the history of the issue; stated after numerous meetings with staff and City officials the project was still being delayed due to actions of staff and explained; and requested a one year interest-free extension on the loan and urged Council to stand by their loan commitment for the in-fill project.

President Steitz stated comments were heard and taken under advisement and Council had received staff's report on the matter. No action was taken.

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(10:00 A.M.) STAFF REPORT ON HINTON CENTER AGREEMENT AND )  
IMPROVEMENTS - COUNCILMEMBER RONQUILLO )  
(DISCUSSED AGAIN LATER) )

City Manager Reid advised staff was awaiting a response from the Hinton Board on the agreement which was personally delivered on January 22<sup>nd</sup>; and stated it was his understanding issues relative to improvements were being addressed.

Proceedings were briefly interrupted with a request of Ms. Boya for a response by Council on the 9:30 A.M. item, whereupon President Steitz questioned the will of Council to continue discussions or not, reiterating Council could not take any action.

On motion of Councilmember Bredefeld, seconded by Councilmember Perea, duly carried, RESOLVED, continued discussion on the 9:30 A.M. item hereby approved, by the following vote:

Ayes	:	Boyajian, Bredefeld, Mathys, Perea, Quintero, Ronquillo
Noes	:	Steitz
Absent	:	None

Proceedings continued on the 9:30 A.M. item. Upon request of Councilmember Bredefeld for staff's response to Ms. Boya's comments, HNR Manager Bowness stated the original agreement consisted of security by the City of 89% and Ms. Boya's current proposal, through her lender, consisted of 0% security adding staff could offer no recommendation as there was no security for the \$270,000 loan that would be provided. Ms. Boya responded on specifics of the proposal stating it was structured the same as before and there were no risks. (4 - 0)

President Steitz reiterated Council could take no action this date and requested Ms. Boya bring a proposal forward for Council to review advising the issue could then be rescheduled for consideration and/or action.

were earmarked for, and clarified if there was a proposal different from the one submitted to staff two weeks ago, staff had not seen it yet.

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**(10:00 A.M.) STAFF REPORT ON HINTON CENTER AGREEMENT AND )**  
**IMPROVEMENTS - COUNCILMEMBER RONQUILLO )**  
**(CONTINUED FROM EARLIER) )**

Proceedings continued with Queen Dee, Assistant President, Hinton Board of Directors, commenting on the issue stating some improvements had been started thanks to Councilmember Ronquillo, and advised they were currently working with staff on the lease and on the necessary improvements.

Councilmember Ronquillo briefly commented on the issue, requested a timeframe on the needed improvements, and thanked staff for their efforts and urged they move forward to address the improvements and all outstanding issues.

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**(10:30 A.M.) CONSIDER OPTIONS AND ADOPT PROCESS FOR CREATION )**  
**OF A VOLUNTEER SOCIAL SERVICES COMMISSION )**

Acting President Mathys briefly reviewed the issue, reiterated and emphasized a City-appointed commission was needed to look out for the City's needs, and made a motion to approve Alternative #3, which was seconded by President Steitz for purposes of discussion.

Kathleen McIntyre, Chair, Human Services Coalition, stated her support for Alternative #3, expressed concerns with utilizing the County's process and with other issues, and responded to questions of Councilmember Bredefeld on the County's review process and committee.

Councilmember Bredefeld noted it was the County's job to fund social service agencies and stated although the City had been committed to social service funding they had no legal responsibility to provide funding; stated Alternative #3 would be a duplication of efforts as the County was already providing the service; clarified the County would review applications and provide recommendations and Council would determine the actual allocations; and made a substitute motion to approve Alternative #1. Brief discussion ensued on voting on the substitute motion at this time without additional debate.

A substitute motion of Councilmember Bredefeld, seconded by Councilmember Perea, to adopt Alternative #1 failed to become the main motion, by the following vote:

Ayes	:	Bredefeld, Perea, Quintero
Noes	:	Boyajian, Mathys, Ronquillo, Steitz
Absent	:	None

matter which option was approved he would work within financial constraints without seeking additional funds for staffing. Councilmember Ronquillo commented on his past involvement in the process, stated the process did not have to be extremely rigid citing worthy agencies funded last year at the 11<sup>th</sup> hour, and requested an amendment to Alternative #3 that anyone serving on the commission not benefit in any way from the funding, which was accepted by the motion-maker.

At the request of Acting President Mathys, City Clerk Klisch began reading a motion from the July 21, 1998, Council meeting, whereupon President Steitz ruled it out of order and clarified the only motion on the floor. A motion of Acting President Mathys to close debate and call for the question died due to lack of a second. Councilmember Quintero briefly the meeting at 11:39 a.m.

Councilmember Perea, President Steitz and Councilmember Boyajian expressed their support for Alternative 1 with Councilmember Perea urging Council to think about what to fund to maximize dollars, and Councilmember Boyajian emphasizing funding should be based solely on need, and made a substitute motion..

A substitute motion of Councilmember Boyajian, seconded by Councilmember Bredefeld, to approve Alternative #1 became the main motion, by the following vote:

Ayes	:	Boyajian, Bredefeld, Perea, Ronquillo, Steitz
Noes	:	Mathys
Absent	:	Quintero

Councilmember Quintero returned to the meeting at 11:41 a.m. Acting President Mathys and Councilmember Ronquillo stated their support for Alternative #3 with Acting President Mathys emphasizing local control was needed, and Councilmember Ronquillo stating Council would be distancing themselves with Alternative 1, and added his priority would be youth.

On motion of Councilmember Boyajian, seconded by Councilmember Bredefeld, duly carried, RESOLVED, Alternative #1 utilizing the existing County of Fresno Application Review Process hereby approved, and the process to coincide with the presentation of the Mayor's budget to Council, by the following vote:

Ayes	:	Boyajian, Bredefeld, Perea. Steitz
Noes	:	Mathys, Quintero, Ronquillo
Absent	:	None

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Councilmember Ronquillo briefly left the meeting at 11:48 a.m.

**(11:00 A.M.) CONTESTED CONSENT CALENDAR ITEMS:**

**(1A-3)** AWARD A REQUIREMENTS CONTRACT FOR FORD ORIGINAL )  
EQUIPMENT MANUFACTURER (OEM) PARTS )

**(1A-4)** AWARD A REQUIREMENTS CONTRACT FOR GENERAL MOTORS )

ORIGINAL EQUIPMENT MANUFACTURER (OEM) PARTS )

Upon question of Councilmember Bredefeld, Fleet Manager Nerland stated the contract costs for both contracts were estimates.

On motion of Councilmember Bredefeld, seconded by Councilmember Perea, duly carried, RESOLVED, relative to Item **1A-3**, a one-year requirements contract with provisions for two one-year extensions hereby awarded to Lithia Ford of Fresno in the estimated amount of \$30,000 to provide Ford OEM parts to the City; and relative to Item **1A-4**, a one-year requirements contract with provisions for two one-year extensions hereby awarded to Michael Cadillac, Inc., in the estimated amount of \$60,000 to provide OEM parts to the City, by the following vote:

Ayes	:	Boyajian, Bredefeld, Mathys, Perea, Quintero, Steitz
Noes	:	None
Absent	:	Ronquillo

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**(1A-8) RESOLUTION NO. 99-32 - SUPPORTING AND REQUESTING ACTION )**  
**BY CONGRESSIONAL REPRESENTATIVES IN THE U.S. SENATE AND HOUSE )**  
**OF REPRESENTATIVES TO RE-AUTHORIZE THE FEDERAL AVIATION )**  
**ADMINISTRATION'S (FAA's) AIRPORT IMPROVEMENT PROGRAM (AIP) )**  
**FOR CONTINUED CAPITAL IMPROVEMENT GRANT FUNDING OF THE )**  
**FRESNO YOSEMITE INTERNATIONAL AIRPORT AND THE FRESNO- )**  
**CHANDLER DOWNTOWN AIRPORT )**

President Steitz stated his concern relayed to Congressman Radonovich was the impact if the program was not re-authorized. Councilmember Boyajian briefly left the meeting at 11:49 a.m. Transportation Director Hayes stated improvements would still be made with funds already approved and reviewed the congressional funding program process. Councilmember Ronquillo returned to the meeting at 11:50 a.m.

On motion of President Steitz, seconded by Councilmember Ronquillo, duly carried, RESOLVED, the above entitled Resolution No. 99-32 hereby adopted, by the following vote:

Ayes	:	Bredefeld, Mathys, Perea, Quintero, Ronquillo, Steitz
Noes	:	None
Absent	:	Boyajian

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Councilmember Perea briefly left the meeting at 11:51 a.m. and Councilmember Boyajian returned.

**(3A) \*RESOLUTION NO. 99-33 - 65<sup>TH</sup> AMENDMENT TO AAR 98-159 APPRO- )**  
**PRIATING \$900,000 FROM THE CONVENTION CENTER RETAINED EARNINGS )**  
**TO FUND THE PURCHASE OF FURNITURE, FIXTURES, AND EQUIPMENT )**  
**FOR THE NEW EXHIBIT HALL )**

President Mathys, Budget Manager Bruney stated purchases would be handled through the Purchasing Division and funds were already budgeted.

On motion of Councilmember Ronquillo, seconded by Councilmember Bredefeld, duly carried, RESOLVED, the above entitled Resolution No. 99-33 hereby adopted, by the following vote:

Ayes	:	Boyajian, Bredefeld, Mathys, Quintero, Ronquillo, Steitz
Noes	:	None
Absent	:	Perea

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**(5A)** CONSIDER APPROVAL OF THE PURCHASE OF CARDIAC CARE UNITS     )  
FOR CITY DEPARTMENTS - COUNCILMEMBER RONQUILLO                             )

**(5 - 0)** Upon question of Councilmember Ronquillo, Director of Administrative Services Souza advised preliminary research indicated the units were very successful where used, stated staff would be recommending the purchase as they did not seem to be cost-prohibitive at this time, and requested additional time to further research and report back on other issues such as number of units needed, placement, and cost. Councilmember Perea returned to the meeting sat 11:54 a.m. Upon question, Mr. Souza stated staff could report back in two weeks. Acting President Mathys briefly left the meeting at 11:55 a.m.

On motion of Councilmember Ronquillo, seconded by Councilmember Perea, duly carried, RESOLVED, the issue hereby tabled three weeks to February 23<sup>rd</sup> under “City Council” to allow staff to report back with additional information, by the following vote:

Ayes	:	Boyajian, Bredefeld, Perea, Quintero, Ronquillo, Steitz
Noes	:	None
Absent	:	Mathys

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Acting President Mathys returned to the meeting at 11:56 a.m.

**(5B)** DIRECT CITY ATTORNEY TO PREPARE AN ORDINANCE FOR                             )  
INTRODUCTION FOR THE PURPOSE OF SAVING OPEN SPACE AND                             )  
AGRICULTURE RESOURCES IN FRESNO (MODEL THE ORDINANCE                             )  
AFTER MEASURE “E” RECENTLY PASSED BY VENTURA COUNTY                             )  
VOTERS - ACTING PRESIDENT MATHYS   )  
1. COMPLETE THE ORDINANCE CONCURRENTLY WITH STRATEGY                             )  
REQUESTED BY COUNCIL ON 1/26/99, RELATIVE TO IMPOSITION OF                             )  
URBAN GROWTH BOUNDARIES   )

starting point for future planning; emphasized Council needed to keep in mind Madera and other surrounding communities in the growth issue; reviewed Measure “E” adopted by the voters of Ventura County; advised he wanted a Regional Growth Summit and had tentatively scheduled one for April 8<sup>th</sup> at 9:00 a.m. and stressed Madera needed to be present; and made a motion as outlined with an amendment to prepare the ordinance with “suggestions” from Measure “E” instead of *modeling* the ordinance after Measure “E”.

Councilmember Ronquillo seconded the motion stating dialog needed to be initiated, commented on need for preservation of prime agriculture land, balanced growth, and accommodating developers, and concluded stating a regional process was the only direction Council should move in. City Attorney Montoy clarified at issue was direction to prepare an ordinance and not the regional summit and brief discussion ensued.

Speaking in opposition to the motion and in support of the “Landscape of Choice” were: Jeff Harris, Building Industry Association, who stated it would be a critical mistake to impose urban growth boundaries without considering all sides; and Julianne Bakke, Fresno County Farm Bureau.

Councilmember Perea stated way too much talk had gone on and the time to act was now; advised he couldn’t support the ordinance; and stressed the City needed to partner with the BIA to direct growth inward.

Planning Manager Yovino responded to questions of Councilmember Quintero relative to support for 10Z and controlling southeast ag land growth. Councilmember Quintero stated he felt Council needed to look at 10Z only, meet with other entities, and see what staff brings forward and recommended Council not bring forth additional plans or options. Councilmember Boyajian concurred stating Council should support staff and see what they bring back.

City Manager Reid advised there had been “cautious” dialog among the City, Clovis and the County and explained; stated careful balancing, not only of policy issues but also of government structures was necessary; stated the City needed to focus on coordination within existing duties and authorities; and stressed moving 10Z forward and continuing dialog with the sub-committees would probably be the best methodology of moving either the urban growth boundary proposal or the open zoning with voter control proposal forward.

City Attorney Montoy requested direction and guidance in developing the proposed ordinance. Councilmember Bredefeld stated the ordinance was premature, stressed dialog had been ongoing for a long time and all entities needed to now get together and talk, and made a motion to close the debate. Acting President Mathys stated he wanted to continue the debate to rebut comments. Councilmember Ronquillo withdrew his second to the motion.

On motion of Councilmember Bredefeld, seconded by Councilmember Perea, duly carried, RESOLVED, debate on the issue hereby closed, by the following vote:

Ayes	:	Boyajian, Bredefeld, Perea, Quintero, Ronquillo, Steitz
Noes	:	Mathys
Absent	:	None

whether to move forward on the proposal and due to the need for consensus from Council and input from the other entities.

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(5G) OBTAIN COUNCIL APPROVAL TO REQUEST A JOINT MEETING WITH )  
ALL MEMBERS OF THE COUNTY BOARD OF SUPERVISORS, THE FRESNO )  
CITY COUNCIL AND THE CLOVIS CITY COUNCIL, IN FULL JOINT SESSION, )  
AS WAS DONE FOR THE 1974 AND 1984 GENERAL PLANS, TO DISCUSS )  
REGIONAL PLANNING NEEDS AND PENDING GENERAL PLAN UPDATE - )  
COUNCILMEMBER BREDEFELD )

Councilmember Bredefeld stated if Council was serious about updating the General Plan a meeting of the three entities was necessary to reach consensus on regional planning, and made a motion to move direction, which was seconded and acted upon after brief discussion. President Steitz requested his office be directed to send the request and schedule the meeting, with Councilmember Bredefeld consenting.

City Attorney Montoy responded to questions of Acting President Mathys relative to setting a regional growth summit and including Madera, with Councilmember Bredefeld stating it was his intention to include Madera in the joint meeting. President Steitz advised Madera was not included in the memorandum of understanding. Councilmember Quintero left the meeting at 12:46 p.m. and returned after the lunch recess.

Speaking in support of the issue were: Jeff Harris, Building Industry Association; and Julianne Bakke, Fresno County Farm Bureau.

Planning Manager Yovino responded to questions of Councilmember Perea relative to conducting a joint forum, impact of not having one, and repercussions if Fresno County were to walk away from the meeting. Councilmember Perea stated the entities may need an incentive to get together, and expressed his hope they were receiving the message that Council wanted a discussion on regional growth and that the City would not sit on the sidelines in dealing with the issue.

Councilmember Ronquillo commented on the amount of time that had elapsed, the inability to move forward, reaching a consensus, difficulties in coordinating a joint meeting, and on important issues to consider, and concluded stating although he would participate energetically he did not think much movement would be made and explained.

City Manager Reid clarified the background of the County's and Clovis' general plan processes; advised the City had been waiting for the green light from Fresno County to move our process forward; stressed the City now needed to endorse the 10Z plan to get the process moving; and stated if the City were to ultimately adopt a regional planning program, Madera County would need to be included in some way, but recommended the initial meeting include just the three entities.



Council to meet in full, joint session with the Fresno City Council to discuss regional planning needs and pending general plan update, by the following vote:

Ayes : Boyajian, Bredefeld, Mathys, Perea, Ronquillo, Steitz  
Noes : None  
Absent : Quintero

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**RECESS - 1:01 P.M. - 2:36 P.M.** Acting President Mathys was absent for the remainder of the meeting.

**(5F) \*BILL NO. B-8 - AMENDING SECTION 9-804 OF THE FRESNO )**  
**MUNICIPAL CODE RELATING TO PUBLIC NUISANCE PAY TELEPHONES )**  
**(REVISED BILL) - COUNCILMEMBER PEREA )**

Councilmember Perea briefly reviewed the issue stating the provision relative to criminal activity was removed due to its difficulty to enforce, and clarified this was not any override of the Mayor's veto of the previous ordinance.

On motion of Councilmember Perea, seconded by Councilmember Quintero, duly carried, **RESOLVED**, the above entitled Bill No. B-8 introduced before the Council and laid over, by the following vote:

Ayes : Boyajian, Bredefeld, Perea, Quintero, Ronquillo, Steitz  
Noes : None  
Absent : Mathys

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**(5D) \*RESOLUTION NO. 99-34 - 67<sup>TH</sup> AMENDMENT TO AAR 98-159 )**  
**APPROPRIATING \$2,000 FROM DISTRICT 2's GENERAL INFRASTRUCTURE )**  
**CAPITAL BUDGET TO SPONSOR THE "PLAY IT SAFE INTERNATIONAL )**  
**CHILD SAFETY CAMPAIGN" - ACTING PRESIDENT MATHYS )**

**(5E) \*RESOLUTION NO. 99-35 - 69<sup>TH</sup> AMENDMENT TO AAR 98-159 )**  
**APPROPRIATING \$5,000 FROM DISTRICT 2's GENERAL INFRASTRUCTURE )**  
**CAPITAL BUDGET TO FUND PLAYGROUND IMPROVEMENTS AT THE )**  
**PINEDALE COMMUNITY CENTER - ACTING PRESIDENT MATHYS )**

On motion of President Steitz, seconded by Councilmember Perea, duly carried, **RESOLVED**, the above entitled Resolution Nos. 99-34 and 99-35 hereby adopted, by the following vote:

Ayes : Boyajian, Bredefeld, Perea, Quintero, Ronquillo, Steitz  
Noes : None  
Absent : Mathys

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**133-72**

**2/2/99**

**UNSCHEDULED ORAL COMMUNICATIONS:**

**(“A”) HEARING TO CONSIDER APPROVAL OF A LEASE AGREEMENT )**

BETWEEN THE REDEVELOPMENT AGENCY AND ZAHRA PROPERTIES, )  
INC., FOR AGENCY-OWNED LOTS AT F FRESNO STREET AND BROADWAY )  
PLAZA STREET, AND DIRECT THE EXECUTIVE DIRECTOR TO TAKE STEPS )  
NECESSARY FOR CANCELLATION OF THE EXISTING MONTH-TO-MONTH )  
TENANCY WITH MERCHANTS' AUTO PARKS, **AS AMENDED** (AGENCY )  
ACTION) (***CONTINUED FROM EARLIER IN THE MEETING***) )

On motion of Councilmember Ronquillo, seconded by Councilmember Boyajian, duly carried, RESOLVED, reconsideration of the above issue hereby approved, by the following vote:

Ayes : Boyajian, Bredefeld, Perea, Quintero, Ronquillo, Steitz  
Noes : None  
Absent : Mathys

The City Council and Redevelopment Agency reconvened in joint session at 2:40 p.m. to reconsider the issue.

Chair Ronquillo advised based on a discussions with the investors after taking action earlier in the meeting and upon receiving new testimony that the amendment which was approved relative to rent might jeopardize the proposal, Chair Ronquillo requested Council's support and made a motion to delete the amendment

On motion of Chair Ronquillo, seconded by Councilmember Boyajian, duly carried, RESOLVED, the amendment to the lease agreement approved earlier in the meeting hereby deleted, and the Agency Executive Director authorized to execute a Parking Lease Agreement between Zahra Properties, Inc. and the Redevelopment Agency in a form substantially similar to the draft Agreement attached to the staff report, for Agency-owned lots at Fresno Street and Broadway Plaza Street; and the Agency Director directed to take steps necessary for cancellation of the existing month-to-month tenancy with the tenants, Merchants' Auto Parks, for the Agency lot at Fresno Street and Broadway Plaza Street, by the following vote:

Ayes : Boyajian, Bredefeld, Perea, Quintero, Steitz, Ronquillo  
Noes : None  
Absent : Mathys

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The joint bodies adjourned at 2:43 p.m.

**CLOSED SESSION** )

(A) CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - )  
GOVERNMENT CODE SECTION 54956.9, SUBDIVISION (a) - CASE NAME: )  
A.H.D.C. (WELLINGTON) V. CITY OF FRESNO, ET AL )

133-73

2/2/99

(B) CONFERENCE WITH LABOR NEGOTIATOR - GOVERNMENT CODE )  
SECTION 54957.6 - COUNCILMEMBER PEREA )  
CITY NEGOTIATORS: JEFFREY REID, JORGE AGUINIGA, ANDREW )  
SOUZA; EMPLOYEE ORGANIZATION: CFPEA )

The City Council met in closed session in Room 2125 at the hour of 2:50 p.m. to consider the above issues and adjourned thereafter.

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**ADJOURNMENT**

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There being no further business to bring before the Council and hearing no objections, President Steitz declared the meeting adjourned.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 1999.

ATTEST: \_\_\_\_\_

Ken Steitz, Council President

Yolanda Salazar, Assistant City Clerk